

those who made up the religious unit of Onate's colonists? If so, this overall complex would have been the monastery.

By now, the first tones of fall were beginning to show in the changing colors of a leaf here, a leaf there, and we were pushing our trowel and shovel work so that we could have a few hours left for packing. No part of San Miguel del Yungue had yielded many artifacts during our three seasons, but several were of marked historic importance. We had found a fine museum quality 16th century bronze medal with the Trinity depicted in raised design on one side and a portrait of Saint Jerome with his beloved lion on the other apparently lost by a Spanish captain in one of the dark first floor inner storage rooms of the east mound area just north of the apartments we have described. There was a much corroded canon mor, a wristlet from plate armor, embossed bronze buttons, a copper spoon (there was one on Onate's list), handles from copper vessels, a copper ring, a ferrule from a knife handle, some pieces apparently from arquebuses, a hawk bell, a gilt cord hair net, and a section of the gilt braid which decorated robes for the religious group. Distribution ranged from house fills and floors to the vicinity of the domed ovens and various layers of the old Pueblo-Spanish colonial ash pile.

In some of the apartments we surmised had belonged to the captains and the priests were found fragments of colored glass vessels from Spain and Africa, one the base of a stemmed wine glass but the others not identifiable as to original shape. In the floor sweepings of east mound rooms and also in the debris mound were scattered Venetian glass beads of assorted shapes and colors and bits of small Venetian mirrors, both brought for trade. Shards of Mexican-made maiolica ware and even a few of delicate Chinese porcelain shipped to Mexico from the Orient obviously came from broken housewares of the elite.

But the artifact which most delighted us was an inlay decoration for a gun stock. A piece of animal bone (substituted for the ivory customarily used in Europe) had been used as the base on which the depiction of a walled Medieval city had been incised in a technique somewhat reminiscent of scrimshaw work. Behind the turreted city wall with its great entrance gate one could see the high terraced roofs of houses, their architectural style strongly suggesting that the carving had been made by the one young Flemish soldier whose name appears on the original census list of soldier-colonists accompanying Onate up from Mexico.

We were feeling fairly well satisfied with what had been accomplished in the limited time of our three seasons. We had sampled the west mound sufficiently to have a basic understanding of it. The same was true for the northern portion of the east mound, and the central and southern portions of that east mound or house block had yielded the Spanish-modified apartments we had so hoped to uncover, plus examples of the earliest cooking platforms and also of the first domed ovens known for the United States. We also had what certainly well might be the monastery, with its unique and crowded kitchen complex.

Nothing was lacking in our list or priorities except for that permanent church of San Miguel, which should have been near the monastery. But where? And then! No more than 20 feet from the opening into the "kitchen complex" and its possible adjoining dining room, we did find that church!

We had been working westward, following the row of Spanish occupied apartments, of which there seemed to have been only one more between the "kitchen complex" and the east edge of Yungue's old central plaza. Going north from there, a few of the front apartments showed floor level doorways, but between those opening on the central plaza and those fronting one what we had been calling the "east plaza" was a block of first story rooms nine deep east-west and something more than nine deep north-south, very few of which had doorways, firepits, or other special features. In other words, this must have been, by original intent of the native builders, a first story block of storage rooms above which stood the living quarters of a large proportion of Yungue's original population and, later, of the first Spanish colonial population. In the fill of about half that block of rooms we had found corrolated remnants of pieces of equipment so badly fragmentized that the original objects could not be named even by experts to whom we sent them for examination.

Other than in those rooms and in the ash pile out beyond the "east plaza," our major collection of this "metal trash" was coming from the dust of the "street" fronting what we were jocularly referring to as our "avenue of Spanish elite." (See Map of Distribution of Metal, Yungue, Summer 1962.) That "street" evidently had served as a thoroughfare between the barracks on the west mound and our area of concentration of the leaders of the colony along the south edge of the east house block.

But what was this we were running into in our final clearing of

this street? Rocks? Ash and charcoal? And more rocks? Yungue had been almost without rocks (stones) except for the cobble used in the single-thickness foundations for the adobe walls. These were no cobbles!

Without question we were against a stone wall of poorly cut small blocks of volcanic tuff such as made up the Pajarito Plateau less distance. The stone wall was directly across the street (south side) from our line of modified coursed adobe apartments. When we found a corner to that stone wall, we collected all the students we could reasonably use, and set them to trawling along both wall surfaces, in both directions.

Within two days — there was no doubt — half of the long lost church of San Miguel had been outlined! The north transept was clear, and in the adobe of its floor lay two male Indian burials within three feet of each other, one with a Spanish bronze or copper button with raised design which may have been worn on a cord as a decoration, and the other with a piece of bone marked with a cross lying on his chest. San Juan men who had served as sacristans?

The north wall of the nave extended eastward just at the fence-line that edged the little access road leading to the Martinez and Salazar houses. The little dirt road, in fact, ran right up the old nave of the church!

At the east end of the nave, the wall turned to the south, showing where the main doorway had opened to the sunrise. We already had found an opening midway in the north wall of the nave where a doorway had entered from the side.

Our overall measurement of 67 feet length for this church presupposed that there had been no protruding extension marking the center of the altar area, a point on which we, ourselves, had no evidence. Wall stubs still might be found outlining such a curve under the surface of that little road. The width of the nave (N-S) would have been between 25 and 30 feet; the width of the north transept (E-W) was 25 feet. (See Map of Church.)

How high the walls of volcanic tuff blocks had been we could not say; the greatest height of stone wall still existant was between 1½ and 2 feet. Originally the stone portion may have been appreciably higher and finished off with coursed adobe, or the church could have been built entirely of volcanic tuff blocks laid up in clay like the walls of many Pajarito Plateau Pueblos, with most of the stones from the church walls eventually disseminated by the

bulldozer. Only one unidentifiable metal fragment and no shards were found in the church, but two bronze candlesticks, not precisely matched but close enough to have been the pair which originally graced the church altar, were uncovered a few feet to the east of the structures we have discussed as the "kitchen complex" and dining room for the convent group.

How had this chapel met its destruction? We have no recorded details for the Spaniards had left, but one can guess. During the 1600s the original polite greeting of the Pueblos to the Spaniards had worn increasingly thin. In part this was the result of pressure by the church endeavoring to have the Indians completely forsake their old religion concentrating on the interaction of mankind and nature. Not until after the Pueblo rebellion did the priests permit something of a combination of the two religions, emphasizing their numerous parallels. The second major pressure resented by the Indians was Spanish insistence of a type of taxation involving work or contributions of food, woven goods, or other products — actually against Spanish law but carried out by those in power in this far isolated area.

When the overstrained Pueblos finally broke into a unified rebellion against the Spaniards in 1680, churches were burned and friars killed in a number of mission sites, as well as a major attack being made on Santa Fe itself and smaller attacks eliminating numerous ranch families. As Popé, the war chief of San Juan Pueblo, was one of the three main leaders of the rebellion, we can hardly suppose that the church of San Miguel at San Juan, the oldest symbol of what the Pueblos saw as one of their major threats against their old native culture did not have its roof burned and its walls thrown down during the initial thrusts of the revolutionists, even if no Spaniards then were living in San Gabriel del Yungue. Adams and Chavez (1956:85:fn.2) mention that a new church is known to have been under construction in San Juan Pueblo shortly after 1706, so we can surmise that little if anything remained of the original structure by that date. The period of use of the disintegrating mounds of San Gabriel del Yungue for burials presumably would have dated from 1610, when Peralta saw to the move of the remaining colonists to Santa Fe, and years after 1706, when the new church had ceased to be a novelty and its yard became acceptable as a cemetery.

By the end of August, 1962, San Gabriel del Yungue, the first Spanish settlement and capital in our Southwest, and its San Miguel Church once more were securely located and their

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portraits sketched in. In reality, all that remains of this site definitely should be excavated to sterile base soil and the remains of walls, even if only a few inches high, preserved. Soil removed should be sifted through one-quarter inch or finer screen so that even the tiniest remains such as the Venetian glass beads would be retrieved. Yungue's north and south mounds, if they ever existed, definitely need investigation; their house blocks or the spaces left without Indian or Spanish construction should be mapped like the east and west mounds. The south wall bases of the church must be uncovered and preserved — and the walls we traced within the edge of the roadway should be re-excavated and preserved — and the interfering access road over which unaware drivers daily run their cars up the nave where worshippers knelt almost four centuries ago *must be relocated*. There is only one "oldest church of which remains still exist" in the United States.

History, which documents the growth of mankind, can be understood only through what it leaves in contemporary writing and in the material creations and possessions of the persons who were responsible for a specific episode. The past is the heritage of us all, its problems, its successes, its story of human beings with different cultural backgrounds endeavoring, struggling, to work out problems based on human needs and a combination of the exigencies of nature and their times.

What one man may cast away for personal gain can be a loss to all of humanity forever.

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When New Mexico's first governor, the *adelantado* Don Juan de Onate, arrived on the upper Rio Grande in 1598, he selected the Espanola Valley as the site for a settlement and his capital.\* That district was inhabited by the Tewa Pueblos who were known to be more hospitable toward the Spaniards than were people farther down river. For example, the Tiwas living in the neighborhood of modern Bernallillo were barely able to conceal their hostility when the Onate expedition passed by. They had not forgotten the ill-treatment suffered at the hands of Francisco Vasquez de Coronado in the years 1540-1542.

Until the appearance of Governor Onate, the people of San Juan Pueblo had experienced only passing contact with Europeans. So, when the Spaniards decided to settle at their pueblo, they accepted the newcomers with some grace. A year or so later, Onate is believed to have moved his people across the Rio Grande to San Gabriel del Yunge Oweenge. The transfer, no doubt, was an expression of the Spaniards' desire to have their own community, but it may have been prompted as much by growing tension with the San Juans who probably felt their guests had overstayed their welcome.

The behavior of the Spaniards toward the Pueblo people in general and the San Juans in particular was conditioned by their history, culture, and national psychology as well as by certain local deficiencies in the environment which produced their own set of stresses. A review of Spanish character and motives at the time of the occupation of New Mexico will help us to understand better the beginnings of the little San Gabriel settlement.

The Onate colonists, like their countrymen everywhere, felt a strong sense of pride in being Spanish. Spain at the end of the sixteenth century was at its peak, its worldwide empire stretching to

*Some question has been raised recently over whether San Juan/San Gabriel was actually the capital of New Mexico. The matter is easily settled. Since this place was the seat and residence of the governor and the only settlement in the kingdom, it automatically became the capital. In a letter of May 30, 1599, Onate referred to it as the capital, and, he was in the best position to know. Further, Dr. George P. Hammond, Onate's biographer, regarded it as the capital, so that would seem to end the discussion.*

Case: 6:69-cv-07941-BB

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## EXHIBIT D

- Irrigation at the Confluence of the Rio Grande and Rio Chama: The Acequias de Chamita, Salazar, and Hernandez, 1600-1680.
  - By Stanley M. Hordes, Ph.D.
  - June 24, 1996

**IRRIGATION AT THE CONFLUENCE OF THE RÍO GRANDE AND RÍO  
CHAMA: THE ACEQUIAS DE CHAMITA, SALAZAR AND  
HERNÁNDEZ, 1600-1680**

*Delivered by [unclear]  
FDR & White at  
the Commissioner Meeting  
on July 26, 2010.  
Chamita Project*

Submitted to:

**Rio de Chama Acequias Association  
Española, New Mexico**

Submitted by:  
**Stanley M. Hordes, Ph.D.**  
**HMS Associates, Inc.**

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**Introduction:**

For centuries the fertile floodplain at the confluence of the Río Grande and Río Chama has attracted settlers seeking to establish agricultural communities. Prior to the 1846 invasion and annexation of New Mexico by the United States, the area was intensively cultivated by Pueblo Indians and Spanish colonists alike. Many of those who today harvest corn, vegetables, chile and alfalfa, trace their roots continuously back over several hundred years to these early farmers.

The first Europeans to set eyes on what is today known as the Española Valley were members of Francisco Vázquez de Coronado's expedition (1540-1541), the first significant venture on the part of the Spanish crown into New Mexico. Based in the Tiguex region of the Middle Río Grande Valley, Vázquez de

Coronado's lieutenant, Tristan de Arellano, sent a company northward in search of provisions in the fall of 1541. Under the command of Captain Francisco de Barrionuevo, the party stopped at Yunque, the future site of San Gabriel and the area served by the Acequia de Chamita. The chronicler of the expedition described "two very beautiful pueblos which were on opposite sides of the river . . . [with] abundant provisions," referring to Yunque, on the west bank, and San Juan, on the east bank.<sup>1</sup>

Neither the Rodríguez/Sánchez Chamuscado expedition of 1581-1582, nor that of Espejo/Beltran in 1582-1583 appear to have reached as far north as the Rio Chama. The unauthorized campaign led by Gaspar Castaño de Sosa seven years later, however, did extend to the Espanola Valley. In the winter of 1590, Castaño's party arrived at San Juan Pueblo, finding it covered with snow so deep that a horse could no longer travel through it: "The inclement weather precluded any detailed

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<sup>1</sup>George P. Hammond and Agapito Rey, *Narratives of the Coronado Expedition, 1540-1542* (Albuquerque: University of New Mexico Press, 1940), p. 244.

account of the resources in the region, save that "the pueblo  
was very strong in people and supplies."<sup>2</sup>

The first permanent colonizing enterprise to New Mexico, led by Governor and Adelantado Juan de Oñate, left Santa Bárbara in January of 1598, with some 129 soldiers, some with their wives and families, and six Franciscan missionaries, over three thousand head of livestock and a full complement of supplies. More than six months later, on July 11, Oñate arrived at the confluence of the Río Grande and Río Chama, and established his headquarters at the Pueblo of San Juan. Exactly one month later, work began on an acequia on the east bank of the Río Grande, the labor provided by some one thousand five hundred Pueblo Indians.<sup>3</sup>

### **Settlement and Irrigation in the Area Served by the Acequia de Chamita, 1600-1680:**

By the fall of 1600, demographic pressures had forced Oñate to move his capital from San Juan to the west bank of the Río

<sup>2</sup>Hammond and Rey, *The Rediscovery of New Mexico, 1580-1594: The Explorations of Chamuscado, Espejo, Castaño de Sosa, Morlete, and Leyva de Bonilla and Humaña* (Albuquerque: University of New Mexico Press, 1966), pp. 283-285.

Grande, which also constituted the north bank of the Río Chama.

The settlement of Yuque-Yunque took on the new name of San Gabriel de Yunque, and formed the basis for the community that would ultimately be known as Chamita.] The new colony used an acequia from the Río Chama for the irrigation of crops.

Seventeenth-century Franciscan historian Juan de Torquemada chronicled this important development:

San Gabriel . . . is situated between two rivers, and the waters of the smaller of the two irrigates wheat, barley, corn, and other crops that they plant in gardens.<sup>4</sup> [Exhibit 1]

*What is  
e state?* → Thus irrigation of lands that today are served by the Acequia de Chamita began as early as 1600. ~ *Not Aztlan*

At some point around 1607, the decision was made by Spanish royal authorities to transfer the capital of New Mexico some thirty-five miles south to Santa Fe. While some residents of San Gabriel followed the seat of government to the its new location, it is clear that the old capital was by no means abandoned. A 1608 report by Captain Pedro Martínez de Montoya, outlining the services that he had performed for the royal

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<sup>3</sup>Hammond and Rey, *Oñate, Colonizer of New Mexico, 1595-1628* (Albuquerque: University of New Mexico Press, 1953), pp. 322-323.

<sup>4</sup> Fray Juan de Torquemada, *Monarquía Indiana* (Madrid: Nicolás Rodríguez Franco, 1723; Mexico City: Editorial Salvador Chaves Hayhoe, 1943), Vol. I, p. 672, "San Gabriel . . . está

authorities over the previous several years, contained references to his having spent time in Santa Fe, while building a house at "la Villa de San Gabriel," serving there as *alcalde ordinario*.<sup>5</sup> [Exhibit 2]

The Pueblo Revolt of 1680 resulted in the destruction of virtually all locally-generated records for New Mexico from the early seventeenth century until 1680. In order to reconstruct settlement patterns in the colony during this time period, historians have had to piece together documentary fragments from archival sources in Mexico and Spain, as well as New Mexico documentation emanating from the immediate post-Revolt era. Scarce as they may be, these records demonstrate clearly a continuous pattern of settlement at San Gabriel de Yunque through the seventeenth century.

Documentation from the Archivo General de la Nación (National Archives) of Mexico surrounding the 1662 imprisonment by the Holy Office of the Inquisition of a New Mexico military

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situado entre dos Ríos, y con las Aguas del menor de los dos, se riegan los Trigos, Cevada, y Mais, y los demás cosas, que se siembran en las huertas."

<sup>5</sup>Museum of New Mexico, History Library of the Palace of the Governors, Juan Martinez de Montoya Collection, "D. Juan Saez y Maurigade, vecino de esta corte, sobre Que se les incluya en la descendencia directa del Capitan D. Juan Martínez de Montoya, Descubridor, Conquistador, y Poblador que fue en las Americas, y Gobernador del Nuevo México," Petition by Juan Martínez de Montoya to Governor Cristóbal de Oñate, Santo Domingo, August 10, 1608

officer, Francisco Gómez Robledo, was particularly helpful in shedding light on the occupation of the site in the early and mid-century. After Gómez Robledo was arrested in Santa Fe, Inquisition officials conducted an inventory of his estate. Among his papers were two significant, and related, documents. The first was a petition by his father, Francisco Gómez, for a grant of an *estancia* at Yunque; the second was a title held by Francisco Gómez Robledo to grant of an *estancia* at "el Pueblo de San Juan de los Teguas," presumably the same piece of land, located at San Gabriel de Yunque.<sup>6</sup> [Exhibit 3] These two documents demonstrate a continuous occupation of the site currently served by the Acequia de Chamita by two generations of the same family from the early seventeenth century until at least 1662, eighteen years prior to the Pueblo Revolt.

The court-appointed historian, Dr. John Baxter, has disputed the account offered in the paragraph cited above. In a letter dated May 18, 1994 to Peter Thomas White, Special Assistant Attorney General, Office of State Engineer, Dr. Baxter claimed that the aforementioned *estancia* "continued to be

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(Copy made in Madrid, March 18, 1785); "Santa Fe: Est. 1610 1607," *El Palacio*, Vol. 100, no. 1 (Winter 1994-1995), pp. 15-16.

"unoccupied" in 1662. In analyzing the contents of the 1662 Gómez Robledo inventory, Dr. Baxter described what he thought was the Yunque property owned by elder Gómez,

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about a league above the pueblo of San Juan described as 'unpopulated (sin poblar).'<sup>6</sup> The same estancia is listed again in the inventory of property belonging to Gómez Robledo, who had inherited it from his father. Two months later, Fray Alonso de Posada, comisario of the Inquisition in New Mexico, certified the sale of some of Gómez Robledo's assets to pay the costs of sending him to Mexico City for trial. At that time, the grant at San Juan, which was sequestered but not sold, was described as 'iriaso (uncultivated)'. . . . There is no documentation of subsequent Spanish occupation in the San Gabriel/Yunque region until after the Pueblo Revolt."<sup>7</sup> [Exhibit 4]

Dr. Baxter based his analysis on a misinterpretation of the contents of the inventory. The "unpopulated" and "uncultivated" property identified by Dr. Baxter as located at Yunque was, in reality, located some 150 miles to the south, in the Río Abajo region of New Mexico, in the vicinity of Socorro. As discussed above, the May 4, 1662 inventory referenced two documents pertaining to the *estancia* owned by Gómez and Gómez Robledo at Yunque. But the inventory referenced a third and fourth tract as well:

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<sup>6</sup> Archivo General de la Nación (Mexico) (hereafter cited as AGN), Ramo Concurso de Peñalosa, Vol. 2, f. 246 [repeated folio number], R&V (microfilm copy examined at the New Mexico Records Center and Archives (hereafter cited as NMRCA)).

<sup>7</sup> Letter, John O. Baxter to Peter T. White, Santa Fe, May 18, 1994, pp. 1-2.

Two titles, one is the grant of the Estancia de las Barrancas, and the other of the Pueblo of San Juan, which is located one league above, and is unpopulated.<sup>8</sup>

The Act of Embargo, which took place at the Estancia de San Nicolas de las Barrancas two weeks later, on May 18, identified the "site of San Juan" as "contiguous to it".<sup>9</sup> In July, the site of San Juan associated with San Nicolas de las Barrancas was described as "uncultivated".<sup>10</sup> [Exhibit 3]

The sequence of documents outlined above established the close geographical proximity of the *estancia* of San Nicolas de las Barrancas to a "pueblo" or "sitio" of San Juan, which appear to have been unpopulated and uncultivated as of 1662. But rather than representing the San Juan Pueblo located at the confluence of the Río Grande and Río Chama, the San Juan referred to here was located considerably to the south.

The journals of Diego de Vargas show that Gómez Robledo's *estancia* at San Nicolas de las Barrancas was, indeed, located in Río Abajo. On September 2, 1692, in his march up the Río

<sup>8</sup>AGN, Ramo Concurso de Peñalosa, T. 2, f. 247R, "Dos títulos uno es la merced de la estancia de las barrancas y otro del Pueblo de San Juan que es una legua mas arriba y esta sin poblar."

<sup>9</sup>AGN, Ramo Concurso de Peñalosa, T. 2, f. 250R, "el sitio de San Juan que está ynmediato a este".

Grande, Vargas arrived at Socorro. The next day, the expedition reached the Pueblo of Alamillo, and on September 4, the uninhabited Pueblo of Sevilleta. The description of the next day's journey is as follows:

Today, Friday, the fifth of the present month of September, I, said governor and captain general, arrived at this place named Las Barrancas. I stopped with the camp near the abandoned hacienda which is said to have belonged formerly to Francisco Gómez. We traveled a little more than three leagues.

The next day, the expedition arrived at the hacienda of Thomé Domínguez de Mendoza, and the following day, Valencia.<sup>11</sup>

[Exhibit 5]

Fray Angelico Chávez also placed Las Barrancas at the downriver site, referring to "the sacks of piñon kept at the Gómez estancia of Las Barrancas in the Río Abajo."<sup>12</sup> [Exhibit 6]

The 1984 archaeological investigations of Michael Marshall and Henry Walt into pre-Pueblo Revolt settlements in the Río Abajo area locate Las Barrancas in this area, as well. They

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<sup>10</sup>AGN, Ramo Concurso de Peñalosa, T. 2, f. 284V, "... y de la estancia de San Juan de las Barrancas ganados que en ella estan mayor y se guarda y de [illegible] sitio de San Juan yriaso . . ."

<sup>11</sup>J. Manuel Espinosa, *First Expedition of Vargas into New Mexico, 1692* (Albuquerque: University of New Mexico Press, 1940), pp. 65-66.

<sup>12</sup>Fray Angelico Chávez, *Origins of New Mexico Families* (Santa Fe: Historical Society of New Mexico, 1954), p. 37.

discuss the site in the context of the estancias in the Piro Province:

Las Barrancas appears on the Peñalosa map of 1680 and the Coronelli map of 1688 on the east bank of the Río Grande south of Nuestra Señora de Socorro and north of San Antonio de Senecu. This strongly suggests the barranca country of the east bank in the central Río Abajo study area. Indeed, the Las Barrancas on these maps, which has a dotted symbol similar to that for a settlement, could conceivably be the name of a Piro pueblo or a hacienda in the area.

References to an Estancia de Barrancas in 1661, . . . in 1681 by Otermin . . . and by Diego de Vargas in 1692 are to the residence of Francisco Gómez. This was well to the north of Sevilleta, 10 leagues to the south of Isleta Pueblo.<sup>13</sup> [Exhibit 7]

Once it is understood that the "San Juan" associated with San Nicolas de las Barrancas was located in Río Abajo, it becomes clear that the "grant of the estancia of Yunque" owned by Francisco Gómez, the elder, and the "grant of the estancia at the Pueblo of San Juan de las Teguas", owned by Francisco Gómez Robledo, were one and the same, and were separate and distinct from those located much farther south. It also becomes clear that, while the southern "San Juan/Las Barrancas" site was unpopulated and uncultivated in 1662, no such designation was applied to the northern "San Juan/Yunque" site. Absent any such qualification, it is reasonable to conclude that the latter

*estancia* at Yunque owned by Francisco Gómez and later by his son, Francisco Gómez Robledo, was, indeed, occupied in the mid-seventeenth century.<sup>17</sup>

Evidence of the continued viability of the settlement at Yunque in the mid-to-late seventeenth century is also demonstrated in a description of the area found in a petition for a grant of lands by a group of residents of Santa Cruz de la Cañada after the reconquest of New Mexico by Diego de Vargas. In their request to the governor, dated March 29, 1712, Maestre del Campo Roque Madrid and eleven other settlers asked for lands "at the place that used to be known as the Villa de Yunque for the purpose of improving for ourselves the standing structures" that existed at the site.<sup>18</sup> [Exhibit 8]

On the basis of the documentation outlined above, it is clear that the area on the north bank of the Río Chama, located just above its confluence with the Río Grande, that is currently served by the Acequia de Chamita,<sup>19</sup> was first irrigated by the

<sup>13</sup> Michael Marshall and Henry Walt, *Río Abajo: Prehistory and History of a Río Grande Province* (Santa Fe: Historic Preservation Division, 1984), p. 257.

<sup>14</sup> NMRCA, Spanish Archives of New Mexico (hereafter cited as SANM), Series I, No. 1020, "Juan de Uribarri, Bartholomé Lovato, Mathías Madrid, and others, petition for lands near Puesto de Chama" (1710-1712), Petition by Maestro del Campo Roque Madrid, et al., Santa Fe, March 19, 1712, Reel 5, frame 1115, "... un sitio que llamaban antiguamente la Villa de Yunque para mejorarnos de fábricas fuertes . . ."

Oñate colony in 1600, and continued to be occupied until the Pueblo Revolt of 1680.

### **Settlement and Irrigation in the Area Served by the Acequias de Salazar and Hernández, 1600-1680:**

As stated above, very little documentation has survived to shed light on the history of the area in question from the initial colonization by Oñate in 1598 until the Pueblo Revolt of 1680. Fortunately, records from the first couple of decades of the post-Reconquest period help to reconstruct seventeenth-century settlement patterns in the area located on the south bank of the Rio Chama at its confluence with the Rio Grande.

In October of 1692, during the first phase of the Reconquest of New Mexico, Diego de Vargas visited the Pueblo of San Juan. There he found three Spanish women who had been taken captive when the Pueblo Revolt broke out twelve years earlier.<sup>15</sup>

Two and a half years later, Governor Vargas ordered a reconnaissance of the Santa Cruz region, with the intention of repopulating the area with Spanish settlers on favorable

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<sup>15</sup>AGN, Ramo de Historia, Tomo 37, exp. 6, "Armed Reconnaissance and Ritual Reposession by Diego de Vargas of Santa Fe and Twelve Pueblos of the Tewa, Tano, and Taos Indians, 9 August - 16 October 1692," translated in John L. Kessell and Rick Hendricks (eds.), *By Force of*

farmland. He entrusted this task to his Lieutenant Governor, Maestre del Campo Luis de Granillo. Granillo had served as alcalde mayor of Santa Cruz prior to the Revolt, and thus had familiarity with settlement patterns in the region prior to 1680.<sup>16</sup> To assist him in this task, Granillo selected Sergeant Juan Ruiz de Cáceres, who had been raised in the area prior to the Pueblo Revolt, and also knew well the area and its former inhabitants.<sup>17</sup> The extent of the territory to be reconnoitered by Granillo was carefully spelled out by Vargas, and included the areas served by the Acequia de Salazar and Acequia de San José (currently Acequia de Hernández):

And the aforesaid reconnaissance being conducted by me, the aforesaid Governor and Captain-General, I have seen to it that the settlement and population be conducted of the same area entirely by Spanish who abandoned and left during the general uprising that took place in August of [16]80 in this kingdom, in the places and haciendas that extend from this Villa of Santa Fe, toward the Pueblo of Tesuque, and *those that extend beyond the Pueblos of San Ildefonso and Santa Clara, on the other side of the Río del Norte*, and on this [side], from those that extend beyond the Mesa de San Ildefonso toward the road to San Juan de los Caballeros, and those that extend toward the aforesaid pueblos occupying the aforesaid haciendas, San Lázaro and San Cristóbal, and those that extend from here toward the

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*Arms: The Journals of Don Diego de Vargas, 1691-1693* (Albuquerque: University of New Mexico Press, 1992), p. 444.

<sup>16</sup> Myra Ellen Jenkins, "Settlement of the Santa Cruz Cañada," unpublished report submitted to the New Mexico State Engineer Office, March 1984, p. 7.

<sup>17</sup> NMRCA, SANM I, No. 882, "Proceedings in the settlement of the Villa of Santa Cruz" (1695), f. 13R.

Camino Real that goes to Picuris, the cañada named for the hacienda of Moraga, and the estancias of Captains Luis Martín and Juan Luis beyond, and in the site and tract known as Chimayó (emphasis added) . . .<sup>18</sup>

With his instructions in hand, Granillo departed from Santa Fe on March 20, 1695, passing through the Pueblo of Tesuque before arriving at the Pueblo of San Lázaro, just east of Santa Cruz de la Cañada, to spend the night. The next morning, Granillo traveled up the Río Santa Cruz two and a half leagues to Chimayó. After inspecting the site at Chimayó, he turned around and marched back down the Cañada, passing by the Pueblo of San Lázaro on his left. Granillo continued down the Río Santa Cruz, crossed the Río Grande to the west bank, turned right, and began describing the various haciendas that had occupied the west bank prior to the Pueblo Revolt, the nature and extent of the farmlands, and how many families each hacienda

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<sup>18</sup>NMRCA, SANM I, No. 882, f. 2, "y siendo dho. reconocimiento echo como dho. es pr. mi dho. Govr. y capn. Genl. he hallado que el asiento y población se deve hazer de la dha. vezindad y del Ramo dho. que está de próximo para entrar entierra meramte. de los españoles que desampararon y dejaron desde la sublevazn. Genl. del mes de Agosto del año de ochenta de este dho. Rno. en los parajes y aziendas que salen desde esta dha. Villa de Sta. fee para el Pueblo de tezuque y las que corren desde los Pueblos de Sn. Yldephonso y sta. Clara de la otra vanda del Río del norte y de esta desde las que corren y se hallan desde delante de la m[e]sa de Sn. Yldephonso para el camin[o] que ba a dho. Puo. de Sn. Juan de los caballeros y las que corren para los pueblos poblados en dhas. haciendas y son de Sn. Lázaro y sn. Xptóbal y las que sa[-] de este y corren pr. el camino Rl. que ba a picuries cañada q. llama de la hazda. de Moraga y estanzias de los capitanes Luis Martín y Juan Luis delante y en el paraje y pago que llama de simayó."

cóuld support. The text of the reconnaissance following Granillo's departure from Chimayó is as follows:

[marginal note:]

The aforesaid Lieutenant General leaves by the Cañada toward the Pueblos of San Juan, and crosses to the other side of the Río del Norte to sleep at Santa Clara:

And immediately afterward, on the same day, month and year, the aforesaid Lieutenant General took the route and road in compliance with the tenor of the cited order and command, leaving on the reconnaissance of the haciendas and ranches of the cañada that they say had been inhabited by the vecinos that had been there prior to the general uprising of this kingdom. And at a distance of one-half league, and bordering the aforesaid hacienda of Captain Juan Luis, who has possession of the aforesaid grant of the aforesaid Indians, I recognized this, and found the estancia that had belonged to the Martinez, whose ruins consist of the standing walls, and there five vecinos and their families lived with their ranches, as there were sufficient lands and pasture towards the north. And having traveled in the aforesaid direction for three quarters of a league, I found on the left side of the road the aforesaid Pueblo of San Lazaro. And crossing the Río del Norte, on my right, I found and saw the hacienda that had belonged to Miguel Lujan, whose houses were standing, and there the aforesaid lived alone with his family, as there were irrigated farmlands sufficient only for one family, and a small quantity of pasturelands for the livestock of all types that he possessed. And bordering this hacienda was another tract and farm, tilled by Marcos de Herrera, whose family owned another hacienda farther downriver, and the said farm comprised almost the same as the previous one. And continuing from here, there was another tract and farm that had belonged to Nicolas de la Cruz, whose house was standing firmly, there being lands sufficient only to support his family, and the pasturelands of the same quality. And continuing from here the farm that had belonged to Melchor de Archuleta, whose house was found only in ruins, there being almost the same farmlands and pasturelands for one family. And continuing on, at the aforesaid garden plot and meadow, another hacienda that

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belonged to Juan Griego, which consists of a larger tract of land than any of the aforesaid, as it had a lot of room, and thus two families could live there, dividing the aforesaid farmland and pastureland between both of them. And in the same manner, continuing from there, another hacienda that belonged to Sebastian Gonzales, which had been owned by Alonso del Rio, and in this two others had an interest in the tract, and the aforesaid site was capable of supporting three families, the lands being of higher quality. And continuing on, the hacienda that belonged to Francisco Xavier, with its houses in ruins, and a little tower standing, and although he lived there alone, the place had the capacity of sustaining two families abundantly. And from there, continuing on to that of Pedro de la Cruz, whose house was found to consist of one room, having farmlands for only one vecino and his family.<sup>19</sup>

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<sup>19</sup>NMRCA, SANM I, No. 882, ff. 9V-11V:

[marginal note:]

Sale dicho Teniente General por la cañada para hacia los Pueblos de San Juan y pasa a la otra banda del Rio del Norte a dormir a Santa Clara=

Y luego yncontinenti en dicho dia mes y año yo dicho lugar Teniente General tome la buecita y derezera por cumplir con el tenor del mandamiento y orden referido saliendo al reconocimiento de las haciendas que se hallavan pobladas y ranchos que dezian de la cañada de los vezinos que se hallavan antes de la sublevacion General de este Reino y a distancia de media Legua y al lindero de dicha hacienda del Capitan Juan Luis que tiene el puesto suso dicho de la dicha Merced de dichos indios esta Reconozzi y halle la estancia que era de los Martinez cuyas Ruinas estan de las paderes Vivas y en ella vivian Poblados con sus ranchos cinco vecinos con sus familias por tener tierras bastantes y pastos hacia el norte y haviendo andado por dho. rumbo como tres quartos de Legua halle la derezera sobre mano izquierda el suso dicho Pueblo de San Lazaro y pasando el Rio del Norte sobre mano derecha halle y vide la hacienda que fue de Miguel Lujan cuyas de dichas casas se mantienen y en ella solo vivió el dicho con su familia por tener tierras solo de labor y riego bastantes para una familia y los pastos en la cortedad de ganado que tubiere de todo genero y delinda asi mismo con esta hacienda otra suerte y labor de tierras que sembrava Marcos de Herrera cuya familia tenía en otra hacienda mas abajo y dicha labor tendra casi la misma tierra que la antezedente y dicha y a esta se sigue otra suerte y labor de tierras que fue de Nicolas de la Cruz cuya casa se mantiene en pie de dicha su vivienda siendo solo las tierras las nezesarias para mantener la dicha su familia y los pastos en dicha calidad y a esta se sigue la labor que fue de Melchor de Archuleta cuya ruina de su

Once he reached the northernmost settlement along the west bank, Granillo turned around and headed back south, along the escarpment overlooking the Rio Grande Valley. When he reached the arroyo near where he started, probably the Arroyo Guachupangue, he continued with his description of the downriver haciendas before stopping for the night at the Pueblo of Santa Clara:

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And having completed the reconnaissance of the aforesaid haciendas, I the aforesaid Lieutenant Governor crossed to the other part of the arroyo that could be found in the middle of them and descends down the aforesaid canada and finding this Río del Norte, on the right-hand side the following haciendas were reconnoitered: The first to be immediately encountered at the aforesaid arroyo was the hacienda that belonged to Bartolomé Montoya, and there was recognized the ruins of the house in which he lived, and also there were farmlands enough for one vecino with his family, and in the same manner, there was found adjoining another hacienda that belonged to Diego López, and there was standing a tower next to the aforesaid house, the lands being sufficient only for one vecino with his family. And continuing on, another hacienda that belonged to Marcos de Herrera, and the aforesaid hacienda has lands only for one vecino and his family, whose house, because it is adjacent to this aforesaid arroyo or little river, was washed out in

casa solo ay y se rrudnose[?] siendo casi las mismas tierras para una familia y en la dicha forma los dichos pastos = y se siguen en dicha tabla y vega otra hacienda que fue de Juan Griego que esta es mayor suerte de tierra que ninguna de las dichas por tener mucho sitio y así podran vivir en el dos familias dividiendoles la dicha tierra de labor y los pastos por ambos = y asi mismo se sigue otra hacienda que fue de Sevastian Gonzales que poseya el Capitan Alonso del Rrio y en esta tenían parte otros dos de suerte que caven y se pueden poblar en dicho sitio tres familias y ser su tierras de mejor calidad = y se sigue la hacienda que fue de Francisco Xavier arruynada las casas y en pie un torreonzillo y anuque el la vivió solo tiene el sitio tierras para dos familias muy sobradamente = y a esta se sigue la de Pedro de la Cruz de cuya casa se halla en ser un aposento y tiene tierras solo para un vezino con su familia . . ."

a heavy runoff. And continuing on, another tract of farmland that belonged to the convent of the Pueblo of Santa Clara. And continuing on, the hacienda that belonged to the Maestre del Campo Francisco Gómez, of which only the foundations of the house are visible, and which could support one vecino and his family. And continuing on, the hacienda that belonged to Ambrosio Saez, the houses of which are occupied by a number of rebellious Teguas of the Pueblo of Tesuque, as they were in the past year of 1694, sowing the aforesaid lands, and for the aforesaid reason there are found good lodgings, and this aforesaid hacienda is capable of supporting two other vecinos with their families. And in the same manner there is found in the aforesaid meadow in the midst of the hacienda where Agustín Romero lived during the time of the planting, because he maintained his farm at the aforesaid site, where one vecino with his family could live very well. And in the same manner, descending to the bank of the Río del Norte and Mesa of San Ildefonso, whose ruins of the aforesaid house were visible, and the lands are sufficient for only one vecino with his family. And the aforesaid haciendas are those which are found as described above from the aforesaid mouth of the canada, according to what was indicated, with their owners who lived there, and who settled there. And I, the aforesaid Lieutenant Governor, left with the aforesaid Sergeant Juan Ruiz, who assisted me on the aforesaid reconnaissance, and who is familiar with the aforesaid places, as he had always lived adjacent to them, and was raised there. And having made the aforesaid account certain and secure, and in order that it may so appear, I approved of it as part of the proceedings, and signed. Passing to sleep at the Pueblo of Santa Clara, dated as above.<sup>20</sup> [Exhibit 9]

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<sup>20</sup>NMRCA, SANM I, No. 882, ff. 11V-13R, ". . . y haviendose acavada de dar vista yo dicho Teniente General a las dhas. haciendas expresadas pase a la otra parte del arroyo que se halla en el medio de ellas y baja de dha. cañada y se halla este río del norte sobre mano derecha y reconoció las haciendas siguientes = Primeramente se halla ynmediato a dicho arroyo la hacienda q. fue de Bare. Montoya y solo se reconoce Las truynas de la casa en q. vivió y solo tamvien tiene tierras para un vezo. con su familia y así mismo se halla adjunta otra Hazda. q. fue de Diego López y se mantiene un torre en q. tenía junto a dha. casa siendo sus tierras tan solamente pa. un vezino con s[u] familia y se sigue otra hacienda q. fue de Marcos de Herrera y dha. hacienda solo tiene tierras para un vezino con su familia cuya cassa por estar ynmediatta a este

Thus did Luis de Granillo on March 21, 1695 describe eight pre-Revolt agricultural haciendas of varying sizes on the west bank of the Rio Grande, extending northward from its confluence with the Rio Santa Cruz, through the areas served by the Acequias de Salazar and Hernández, before turning around, heading south, and spending the night at the Pueblo of Santa Clara.

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Evidence of pre-Revolt settlement also appears in early eighteenth-century land records, as well. About fifteen years after the Granillo reconnaissance, a group of residents of Santa Cruz, among them some of those who two years later would unsuccessfully seek lands at Yunque (see p. 9, above),

dho. arroyo o rriachuelo se la llevó en una creciente grande q. trujo= y se sigue otra suerte de tierras de labor q. tenía y pertenezía al convto. del Puo. de sta. Clara= y a esta se sigue la Hazda. q. fue del mre. de campo franco. Gómez q. solo la señal de los zimytos. de la cassa q. tubo se rreconozan y solo puede sobradamente, vivir en ella un vezo. con su familia= y se sigue la Hazda. q. fue de Ambrosio Sáez en cuya parte de sus cassas se hallan abersse Rancheado como lo estubieron el año pasado de mill seizos. y noventa y quattro partte de los yndios theguas Reveldes del Pueblo de Tezuqu[e] por gozar de sembrar las dhas. tierras y por dha. irrazón se hallan Viviendas buenas y en esta dha. hacienda se pueden Pöblar dos otros Vezos. a su parezer con sus familias= y así mismo se halla en dha. vega en el medio la hacienda donde estubo poblado Augn. Romero en el tiempo de las ementesas [??] por tener su labor en dho. sitio donde puede vivir muy bien un vezo.; con su familia y así mismo bajand[o] a la frente del rrío del norte y messa de sn. Yldephonso cuya rruina de dha. cassa se rreconoce y solo su tierra es les [???] suficiente para un vezo. con su familia y son dhas. hazdas. las q. se hallan como dho. es desde dha. boca de la cañada segun se rrefieren con sus dueños q. en ella viveron y estubieren Pobladas y me rretire yo dho. The. Generl. con dho. Sargto Juo. Rruíz q. asiste juntamente conmigo al dho. Reconozimyto. y conoce los dhos. puestos por haver vivido siempre ynmediato a ellos y haberse criado y ser hecha la dha. rrelazon. zierta y segura y para q. conste lo passe por diligenzia q. firme pasando a dormir al Puo. de sta. Clara fho. ut supra=

petitioned the royal authorities for a large grant of agricultural lands on the west bank of the Río Grande, at its confluence with the Río Chama. The nature of their intentions, as well as the general location was made clear in the text of their request:

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In order that we might secure a better location for our farmlands and to facilitate access to firewood, and other factors of convenience, we have determined to move to a site and establish ourselves *on the other side of the Río del Norte [Río Grande], the site bordering some stone corrals*, running from there to the boundaries of the Pueblo de Chama on the north, and [bounded on] the east with the aforesaid river, and on the west and south with the hills and the aforesaid corrals . . . (emphasis added).<sup>21</sup> [Exhibit 8]

The stone corrals cited in this petition as having been in place as of 1710, strongly indicate that the lands on the west bank of the Río Grande and south bank of the Río Chama had been occupied prior to the Pueblo Revolt of 1680.

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Another land grant document from this period offers even more direct evidence linking pre-Revolt and post-Revolt

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[signed] Luis de Granillo."

<sup>21</sup> NMRCA, SANM I, No. 1020, "Juan de Uribarri, Bartholomé Lovato, Mathias Madrid, and others, petition for lands near Puesto de Chama" (1710-1712), Petition by Sargento Mayor Juan de Uribarri, et al., Santa Fe, February 22, 1710, Reel 5, fr. 1120, ". . . desimos que para mejorarnos de sitio asi para nras. sementeras como para fzilitar el acarreto de la leña y otras buenas conveniencias determinamos pasarnos a poblar un sitio que está a la otra banda de el Río del Norte, el qual sitio esta frontero de unos corrales de piedra y corre desde ellos asta los linderos de el Pueblo de Chama que es por la parte del norte y por la de el oriente con el dho. Río y pr. la de el poniente y sur con las lomas y dhos. corrales . . ."

settlement at the area in question. A 1714 petition for lands by Antonio de Salazar, also from Santa Cruz, linked these agricultural tracts to his grandfather, who had farmed the site prior to 1680:

There is a site on the other side of the Río del Norte that formerly was owned by my grandfather, Alonso Martín Barba, and at present is uncultivated and uninhabited, and on the basis of my family right to which I refer, I register this land so that I may enjoy it, and give it equally to my siblings, the boundaries [of the land] being on the north, some stone corrals that serve as boundary markers; on the west, the recognized boundaries of Alferez Salvador de Santiesteban; on the south, the recognized boundaries of the lands of Captain Joseph Naranjo; and on the east by the Río del Norte . . .<sup>22</sup> {Exhibit 10}

It is interesting to note that the "stone corrals" cited in the latter two documents served as the southern and northern boundaries of the two tracts, respectively. It is reasonable to conclude that these corrals constituted the site currently known as "Corral de Piedra", located in the area served by the Acequia de Salazar.

<sup>22</sup>NMRCA, Office of the Surveyor General, Report No. 132, "Antonio de Salazar Grant", Reel 25, fr. 593, Petition by Antonio de Salazar, Santa Fe, August 25, 1714, "... está un sitio de tierras en la otra vanda del Río del Norte que antiguamente era y posseya mi abuelo el Capitn. Alonso Martín Barba, y aora esta yermo, y despoblado, y representando derecho por mi parte en el parentesco que refiero, lo registro para gosarlo yo y darles parte a mis hermanos y qualmte. cuyos linderos son del la parte del Norte unos corrales de piedra q. pueden servir de mojoneras, por la del poniente donde se reconocieren los linderos del Alferez Salvador de Santiesteban, por la del sur los q. se reconocieren de las tierras del Capitn. Joseph Naranjo, y por la del oriente con el Río del Norte . . ." Fray Angelico Chávez expressed the view that Alonso Martín Barba was more likely the great-grandfather of Antonio de Salazar (*Origins of New Mexico Families*, p. 279, footnote 6).

The fact that on three separate instances from 1695 to 1714, reference was made to the existence of standing walls of corrals, eight haciendas, and even to the farming activities of ancestors, demonstrates clearly that Spanish settlers were engaging in agricultural activity in the area served by the Acequias de Salazar and Hernández prior to the Pueblo Revolt of 1680.

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### **Conclusion:**

On the basis of the evidence presented above, it is clear that irrigation of the lands served by the acequias in question began significantly prior to 1714, the priority date recommended by the court's historian. Analysis of primary archival documentation indicates that irrigation first was initiated at Chamita as early as 1600, the date that Oñate's colony constructed the first ditch. Over the course of the next several decades, it appears that lands at San Gabriel de Yunque had been continuously occupied and used for farming. Similarly, documentary evidence shows that the lands served by the Acequias de Salazar and Hernández were also farmed prior to the Pueblo Revolt of 1680.

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## EXHIBIT E

- Onate's Journal entry of August 11, 1598
  - Onate's, Colonizer of New Mexico, 1595-1628
  - George P. Hammond and Agapito Rey, Editors
  - 1953